

Index # 07 civ 9439

Purchased/Filed: October 23, 2007

**AFFIDAVIT OF SERVICE ON A CORPORATION BY THE SECRETARY OF STATE**

State of New York

U. S. District Court

Southern Dist. County

Erik Herzfeld

Plaintiff

against

JPMorgan Chase &amp; Co.

Defendant

STATE OF NEW YORK )  
COUNTY OF ALBANY ) SS  
CITY OF ALBANY )**DESCRIPTION OF PERSON SERVED:**

Approx. Age: 45 Yrs.

Weight: 120 Lbs. Height: 5' 0" Sex: Female Color of skin: White


Hair color: Brown Other:


Robin Brandow, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on November 2, 2007, at 2:00pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons in a Civil Action, Complaint, Individual Practices of Judge Denise Cote and Judge Ronald L. Ellis on JPMorgan Chase & Co., the Defendant in this action, by delivering to and leaving with Carol Vogt, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section BUSINESS CORPORATION LAW §306.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Sworn to before me on this

2nd day of November, 2007

  
 FAITH COZZY  
 NOTARY PUBLIC, State of New York  
 No. 01CO6158874, Albany County  
 Commission Expires Jan 8, 2011

  
 Robin Brandow

Invoice-Work Order # 0722390

State of New York - Department of State  
Receipt for Service

Receipt #: 200711050049

Cash #: 200711050038

Date of Service: 11/02/2007

Fee Paid: \$40 - DRAWDOWN

Service Company: 02 ALEXANDER POOLE & CO., INC. - 02

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS  
CORPORATION LAW

Party Served: JPMORGAN CHASE & CO.

Plaintiff/Petitioner:

HERZFELD, ERIK

Service of Process Address:

CT CORPORATION SYSTEM

111 EIGHTH AVENUE

UNITED STATES DISTRICT COURT

Southern

District of

New York

ERIK HERZFELD

V.

JPMORGAN CHASE & CO.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 9439

JUDGE COTE

TO: (Name and address of Defendant)

JPMorgan Chase & Co.  
270 Park Avenue  
New York, NY 10172

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

John T. Sartore, Esq.  
Paul Frank + Collins P.C.  
1 Church Street  
PO Box 1307  
Burlington, VT 05402-1307

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL MAHAON

OCT 23 2007

CLERK

*Mano Quintero*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL \$0.00
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

\_\_\_\_\_ Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.